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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,249	10/31/2003	Masaaki Asonuma	SHO-0023	9039
23353 7590 06/06/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER				
HSU, RYAN				
ART UNIT		PAPER NUMBER		
3714				
MAIL DATE		DELIVERY MODE		
06/06/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/697,249

Applicant(s)

ASONUMA, MASAOKI

Examiner

RYAN HSU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

In response to the amendments filed on 3/13/08, claims 1 and 6 have been amended. Claims 1-6 are pending in the current application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Miur et al. (US 2005/0192090 A1).

Regarding claims 1 and 6, Miur et al. discloses a gaming machine comprising: a game result display means for displaying a game result thereon, the game result including a plurality of game result symbols (*see [0006-0012]*). Additionally, Muir discloses a beneficial state generating means for generating a beneficial state for a player when a predetermined game result is displayed on the game result display means wherein the game result display means includes first display means and second display means arranged in front of a display area of the first display means when seen from the front side of the gaming machine (*see Fig. 8-9 and the related description thereof, [0006-0012]*). Furthermore, Miur discloses the second display means to conduct a demonstration display in which a background thereof is displayed in a dark color so that

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the game result on the first display means is difficult to be seen and light transmitting symbols are variably displayed in the background, after the game result is displayed on the first display means. Muir also incorporates at least one light transmitting symbol in a light transmittable portion and variably moves about the second display means(*see paragraph [0011, 0018, 0022-0029], [0051-0053]*). Additionally, Miur discloses a part of at least one game result symbol on the first display means to be seen only through the light transmittable portion of the at least one light transmitting symbol while the at least one light transmitting symbol when the light transmittable portion of the at least one light transmitting symbol variably moving about the second display means overlies the at least one game result symbol (*see Fig. 8 and the related description thereof, [0017-0022, 0052, 0061-0066]*).

Regarding claim 2, Miur discloses wherein the light transmitting symbols have specific shapes (*see paragraph [0011, 0018, 0052], [0061-0066], Fig. 6-7 and the related description thereof*).

Regarding claim 3, Miur teaches a gaming machine that further comprises rear illumination means for illuminating the first display means from a rear side thereof (*see paragraph [0066-0068], Fig. 8 and the related description thereof*).

Regarding claim 4, Miur teaches a gaming machine that further comprises light transmitting mode memory means for storing a plurality of display modes of images including the background and the light transmitting symbols and light transmitting mode select means for selecting one or a plurality of display modes among the display modes stored in the light transmitting mode memory means wherein the second display means displays the images based on a selected result by the light transmitting mode select means

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(ie: animated and effects display of the secondary display (see paragraph [0012-0015, 0060-0065])).

Regarding claim 5, Miur teaches a gaming machine wherein the first display means includes a plurality of symbol display parts capable of variably displaying one or a plurality of symbols and conducting stop display thereof and wherein the light transmitting symbols correspond to areas which are driven so that the player sees and recognizes a part of the symbol display parts (see paragraph [0008-0009, 0059-0065]).

Response to Arguments

Applicant's arguments filed 3/13/08 have been fully considered but they are not persuasive. The applicant's representative has made arguments towards the patentability of the claimed subject matter. However, the arguments were directed towards the new amended limitations and have been addressed above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN HSU whose telephone number is (571)272-7148. The examiner can normally be reached on 9 :00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571)272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Supervisory Patent Examiner, Art Unit 3714

RH
June 1st, 2008